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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

NINGCHUAN SHEN,  
 QI FAN,  
 SHIYI SHEN,

Plaintiffs,

v.

MICHAEL CHERTOFF, Secretary of the  
 Department of Homeland Security;  
 ROBERT S. MUELLER, Director of Federal  
 Bureau of Investigation,

Defendants.

No. C 07-3148 PVT

**PARTIES' JOINT REQUEST TO BE  
 EXEMPT FROM FORMAL ADR  
 PROCESS**

Each of the undersigned certifies that he or she has read either the handbook entitled "Dispute Resolution Procedures in the Northern District of California," or the specified portions of the ADR Unit's Internet site <[www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov)>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this mandamus action is limited to plaintiffs' request that this Court compel defendants to adjudicate the applications for adjustment of status. Given the substance of the action and the lack of any

1 potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax  
2 court resources.

3 Accordingly, pursuant to ADR L.R. 3-3(c), the parties request the case be removed from the  
4 ADR Multi-Option Program and that they be excused from participating in the ADR phone  
5 conference and any further formal ADR process.

6 Dated: August 28, 2007

Respectfully submitted,

7 SCOTT N. SCHOOLS  
8 United States Attorney

9  
10 /s/  
11 ILA C. DEISS  
12 Assistant United States Attorney  
13 Attorney for Defendants

14 Dated: August 28, 2007

15 /s/  
16 JUSTIN X. WANG  
17 Attorney for Plaintiffs

18 **ORDER**

19 Pursuant to stipulation, IT IS SO ORDERED.

20 Date:

21 PATRICIA V. TRUMBULL  
22 United States Magistrate Judge  
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